

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman; Ken Y. Hsu; T. Wade
Fallin; Henry A. Klyce
Appln. No.: 09/684,017
Confirm. No.: 9622
Filed: January 8, 2001
Title: SPINE DISTRACTION IMPLANT AND METHOD

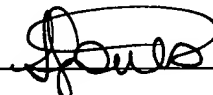
PATENT APPLICATION

Art Unit: 3731
Examiner: Julian W. Woo

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Art Unit 3731, P.O. Box 1450, Alexandria, VA 22313-1450**, on October 28, 2003.



Lana Jones

Signature Date: October 28, 2003

(Signature)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Commissioner for Patents
Art Unit 3731
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is in reply to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed October 6, 2003. Please substitute the previously filed "Amendments to the Claims" section for the one that follows. This response is timely filed.